

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JAMES TOLEDANO,  
Plaintiff

v.  
PRISCILLA MARCONI, et al.,  
Defendants.

Case No. SACV 22-1331-MWF (BFM)

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION OF  
UNITED STATES MAGISTRATE  
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended Complaint (“SAC”, Docket No. 82), Defendants’ Motions to Dismiss the SAC (“Motions,” Docket Nos. 83, 85), the Request for Judicial Notice (Docket No. 84), Plaintiff’s Oppositions to the Motions (Docket Nos. 88, 89), the Report and Recommendation of the United States Magistrate Judge recommending granting the Request for Judicial Notice and Motions in part (“Report,” Docket No. 92), Plaintiff’s Objections to the Report (“Objections,” Docket No. 94), Defendants’ Responses to the Objections (Docket Nos. 95, 96), and other relevant records on file.

Despite the de novo review, the Court accepts and adopts the Magistrate Judge’s detailed and thorough Report. *See United States v. Ramos*, 65 F.4th 427, 434 (9th Cir. 2023) (“the district court ha[s] no obligation to provide individualized analysis of each objection”); *Wang v. Masaitis*, 416 F.3d 992, 1000 (9th Cir. 2005)

1 (affirming a cursory district court order summarily adopting, without addressing any  
2 objections, a magistrate judge's report and recommendation). The Magistrate Judge  
3 correctly followed the Federal Rules of Civil Procedure and Ninth Circuit law in  
4 recommending no further leave to amend be granted and that only Defendant Lawler  
5 respond to the remaining claim in the SAC.

6 Accordingly, the Objections are overruled.

7 **IT IS THEREFORE ORDERED** that:

8 (1) The Report is **ACCEPTED** and adopted as the Court's own findings and  
9 conclusions;

10 (2) The Request for Judicial Notice (Docket No. 84) is **GRANTED IN**  
11 **PART**;

12 (3) County Defendants' Motion (Docket No. 83) is **GRANTED IN PART**  
13 and Private Defendants' Motion (Docket No. 85) is **GRANTED IN FULL** as  
14 follows:

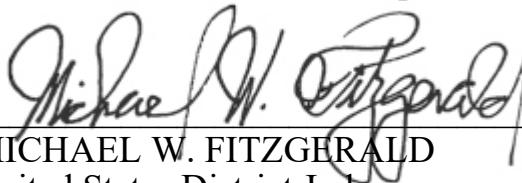
15 (a) Count One against Defendants Priscilla Ann Marconi, Richard D.  
16 Marconi, Paul R. Roper, Anthony Rackauckas, and County of Orange  
17 is **DISMISSED** without leave to amend; and

18 (b) Count Two is **DISMISSED** without leave to amend;

19 (4) Defendant Lawler is **ORDERED** to respond to the remaining claim in the  
20 SAC no later than **NOVEMBER 25, 2024**; and

21 (5) The Clerk of the Court serve this Order on all counsel or parties of record.

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23 Dated: October 28, 2024

  
24 MICHAEL W. FITZGERALD  
United States District Judge

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